Federal Judge Names Cyrus Leland and J. E. Hurley to Take Charge - Hoch Prepares Proceedings Against Kelly.

Topeka, Kas., July 7.-Cyrus Leland of Troy, Kas., and J. E. Hurley, general manager of the Atchison, Topeka and Santa Fe system, were to-day appointed temporary receivers of the properties of C. J. Devlin, placed in voluntary bankruptcy on Thursday night. A bond of \$250,000 will

Ar. Hurley's appointment was made at the request of the Santa Fe Raffway Company, through their attorneys. They will be in charge until the creditors elect

"I named two men," said Judge Pollock. 'because I felt that there was more work than one could do. I think the eppointments will be generally considered

IS REPUBLICAN LEADER Mr. Leland formerly was Republican National Committeeman for Kansas City From a reliable source it was given out to-day that the total value of the properties turned over by Mr. Devlin to the defunct First National Bank is approximately \$1.281,600, on which there is an incumbrance of \$191,266, leaving a clear value of \$1.160.334.

This is in Topeka real estate, Souther Kansas coal fields, Illinois coal fields and bends and stocks in corporations.

The same informant states that the total amount of deposits accepted on Friday and Saturday after the bank knew its falling condition was \$61,000.

GIVES BOND FOR \$250,000. Soon after he had been appointed Mr. Leland filed a surety company bond for \$250,000, and immediately arranged with a Joen! capitalist to borrow \$20,000 to meet the pay toll in the various Devlin mines

This action insures the payment of the miners and other Devlin employes to-morrow, so that it is practically certain that there will be no cessation in carrying on the vast Deviin business.

James E. Hurley, the other receiver, is not expected in Topeka until late to-mor-row, when it is expected be will imme-diately quality.

KELLY STILL DEFIANT. Governor Hoch and Attorney General Coleman are preparing to bring criminal proceedings against State Treasurer Thomas T. Kelly, unless he secures a new bond to replace the old one made invalid

by the failure of C. J. Deviln. The State has \$547,000 tied up in the First National, Governor Hoch says Kelly must furnish a new bond to secure this. Kelly says he cannot do so.

The Governor has not set any particular time for the bond to be filed, other than that it must be done at once.

STRUCK BY STONE WHILE ON CAR

Miss Mary Boyce Refuses to Prosecute Boy Who Threw Missile - Slightly Injured.

Miss Mary Boyce, daughter of former street car yesterday afternoon was struck In the face by a stone, said to have been thrown by Alvin Swift I years old flying at No. 200 Olive street. Her injury consisted of a slight abrasion on the chin.

Miss Boyce had left her home at No 256 West Pine houlevard only a few minutes before the arcident. She boarded the car at Spring avenue and was seated near When the car reached Leonard avenue

the missile sped into the car and struck

Miss Royce's injuries, although elight, trip dawntown and returned to her home. The boy was not arrested, as she refused to prosecute.

H. W. SCHNEIDER DIES SUDDENLY ON TRAIN.

Continued From Page One.

be was only 16 years old, and had built up his great fortune principally in St. Upon his arrival in this country h

worked for a time on railroad contract work in the East. His first Mg contract undertaking was on the B. & O. road, on which, by a singular coincidence, his death

WENT TO PANAMA. After finishing this contract be took 200

men to the Isthmus of Panama and constructed the railroad from Aspinwall to Chagres. He withstood the terrible rigors and pestilences of that climate, although he was stricken there with the Yellow fever, and was one of the twenty men who survived and returned from the 1sth-

After recuperating during a couple of Years spent in the Rocky Mountains, he came to St. Louis and engaged in the general contracting business.

He enlisted in the Union army at the outbreak of the Civil War, and served throughout the war. He was wagonmas ter in Phil Sheridan's army, and bore a remarkable resemblance to the famous cavatry leader, on several occasions being mistaken for him.

To Mr. Schneider is due the development of the great red grantie quarries of Iron County, Missouri, he having formed a partnership with Gratz Brown to open up the quarries in that section. Later this partnership was dissolved and he became sele owner of the granife properties there. which are estimated to be worth more than \$1,000,000 at the present time. He was president of the Schneider Granite Com-

He was the first to introduce red granite as a favorite building material and has furnished the granite for many famous structures, among them being the St Louis Custom-house, the Springfield, Ill. Statehouse, the Federal building at Little Rock, Ark, the Memphis Courtbouse and the St. Louis City Hall. He also fur- ! nished all the stone for the Four Courts and the granite used in the Eads and Mörchants' bridges.

In 1836 he married Miss Suphia Hills, who survives him. Their surviving children are Mrs. A. Blank, Miss Bertha Schneider and Philip W. Jr., Robert P. and Charles W. Schneider. Mr. Schneider was one of the organizers of the Lafayette Rank and had been a director of that institution since its organization. He was vice president of

the bank at the time of his death. He was a member of Hassendeubel Post G. A. R. and the Loyal Legion. His body leum of red granite, which is being butte 88. Peter and Paul's Cemetery, and to the United States.

To-Day the Globe Offers Free Choice of Hundreds of THE VERY LOW PRICE IN LOOKING OVER OUR VERY FINEST SUITS, WE FIND ONLY THREE AND FOUR OF A KIND IN CERTAIN LOTS. THESE WE FEEL IT GOOD POLICY TO "CLEAN UP." THEREFORE WE MAKE THE MOST LIBERAL CLOTHING OFFER OF THE YEAR! These suits are from the very finest in our entire stock, which every man knows is superior to any in the West. Among them are some of the world-

renowned Schloss Bros.' Baltimore Tailor-Made Suits, that never sell under \$15 and up to \$25. There are imported Blue Serge Suits, single and double breasted; handsome Fancy Worsteds, Imported Cassimeres, Cool Homespuns, dressy black suits, etc., in all sizes. There are handsome-fitting 3-piece suits, also nobby Outing Suits, and any of these absolute \$15, \$18 and \$20 very

an assortment of Worsted Pants that would be remarksble value at \$2.50. Nest and dressy stripes. To-day at

1.39 for Any of Our Straw Hats!

None reserved-finest genuine Panamas and Split Straws included—absolute choice values up to \$5-for one day only.....



Beautiful designs and tailor-made. If you're thinking of \$4 dress trousers, see these at only

2.50 for Our Men's Finest Shoes!

An unparalleled offer! Think of it! Absolute choice any shoe in the house, finest high and low patent leathers and tans worth up to \$5 included; none reservedall go at only.

KANSAS OIL REFINERY LAW IS HELD UNCONSTITUTIONAL

Supreme Court Declares That Maintenance and Operation of Plant Would Be in Violation of Clause Which Prohibits the Carrying On of Any Works of Internal Improvement - Reviews Growth of Industry and General Public Complaint That Particular Monopoly Was Manipulating Market to Detriment of Independent Producers-Says Indictment of Standard Oil Company Is Undoubtedly True.

GOVERNOR HOCH IS GREATLY DISAPPOINTED AT DECISION.

Topeka, July 7.-The law passed by the popular demand for relief against a "powerful Legislature last winter appropriating \$110,- commercial combatant," against which the in-000 to build an independent oil refluery at and enthusiastic approval of the Governor, not Peru was to-day declared unconstitutional as an appropriation to build a branch Peniten by the State Supreme Court in an opin-tion rendered by Associate Justice Greene. tion and operation of an ell refinery; and, in-assuuch as no reference is made to the branch The off refinery law was considered one | Pentientlary, it may be said that the Governor of the most direct blows struck at the did not understand that there were any pro-Standard Oil Company by the last Legis- visions in the bill which seriously conten-Councilman Jos. Boyce, while on an Olive lature, which adopted several measures plated the building of a branch of the State tending to restrict that concern in the | Penitentiary. handling of the Kansas product.

PRILL PROVIDED FOR BRANCH PENITENTIARY. The oil refinery law provided for the erection at Peru of a branch of the State Penitentiary to house sufficient prisoners. who, it was intended, were to work the

oil plant. State Treasurer T. T. Kelley and Warden E. R. Jewett, whose duty it was to Issue

the bonds, declined to sign them in order to first secure a decision on the constitutionality of the act. Attorney General C. C. Coleman filed

mandamus proceedings in the State Supreme Court on behalf of the State to ompel these officers to sign the bonds. ALL MEMBERS OF COURT CONCUR IN OPINION.

The opinion to-day, declaring the act to he filegal and unconstitutional, was concurred in by all members of the Supreme CHIPT.

The court holds that the construction of the refinery and the branch Penitentlary in connection with it is in violation of the State Constitution, which declares: "The State shall never be a party to carrying on any works of internal improvement."

The construction and operation of such a refinery, it is said, would be a work of internal improvement COURT REVIEWS COMPLAINT

AGAINST STANDARD OIL. The court, continuing, reviews the disovery of great quantities of oil in the

State, the rapid improvement of the industry and the "general public complaint that a particular corporation was unjustly manipulating the market of this prodet so that the producer was being de setved of what rightfully belonged to him." and that a public demand had been made on the Legislature to enact laws that protect the producer.

The court by inference criticizes Governor E. W. Hoch for raising a scarerow to frighten the oil trust, so-called, and then for informing the trust that the thing he has set up is a scarecrow, The indictment of the Standard Off Company," says the court, "Is no doubt true, and the provocation was very great but we must not make a scarecrow of the

GOVERNOR HOCH EXPRESSES DISAPPOINTMENT AT DECISION.

Governor Hoch was greatly disappointed at the decision and said: "Now that we have started it we want o go on and run our refinery. We could have secural more than its cost in the price of our oil in a few months. "If I had been the Supreme Court I would have strained a point to have dedared the law constitutional."

EXCERPTS FROM DECISION OF KANSAS COURT. The points considered by the Supreme Court in attaining the decision handed down to-day are expressed as follows in

the syllabus of the opinion: in the interpretation of an ambiguous scarute courts should examine it in the light of the ournals of the Legislature, the oretemp history of the conditions and situation of the Minister of the United States to Panama. people, the economic and excluded policy of the in connection with his office as Governor State, its Constitution and laws, and all other of the American Zone on the isthmus matters of common knowledge within the limits of their jurisdiction.

The construction, operation and maintenance of an oil refinery for the purpose of receiving. manufacturing, storing and handling crude and serned off and the by-products, and the market ing of the same, constitute a work of interal impervement."

Senate bill. No. 20, pamed by the recent Logislature, is an art appropriating money for "works of internal improvement." It contravenes section & of article at of the Constitu-REFERS TO MESSAGE

The Governor discloses his apprehension the constitutionality of this bill in his com-parison of the feasibility of the many plane which had been suggested for the repression of the greed of this "rapacious corporati his ewn, which was to appropriate \$50,000 for an experimental refinery at Lansing. He said: "I believe that the expenditure of that sum for the establishment of an experimental refinery at Lansing would have eliminated the constitutional question and subserved all the possible purposes to be subserved by larger ap-

prepriation."
POLICY OF GOVERNMENT

TO EXALT THE INDIVIDUAL. It has been the policy of our Government to exalt the individual rather than the State, and his has contributed more largely to our rapid national development than any other single

Our Constitution was framed and our law enacted with the idea of protecting, encouraging and developing individual enterprise, and if we new intend to reverse this policy, and to enter the State as a competitor against the individual in all lines of trade and commerce, we could general our Constitution, and adopt an entirely different system of government.

SAYS DECISION WILL NOT INJURE THE INDEPENDENTS.

Chanute, Kas., July 7.-W. S. Hyde, president of the Chanute and Austin Off Refinery Company, said of the Supreme

Court decision: not inture the independent refiner. In ness very promptly, fact it is a benefit owing to the removal of State competition.

"Our success depends upon the antidiscrimination law and upon securing unfair rates for transportation. We can fight the Standard just as well without

President to Relieve Secretary Taft of Heavy Work, and Place New Cabinet Chief in Charge of Isthmus Affairs.

Oyster Bay, L. I., July 7.-It is not unlikely that the administration of affairs connected with the construction of the Panama Canal may be transferred from the War to the State Department. Since Elifu Root indicated his acceptmee of the President's tender of the secre-

tarvehip of state, the President has had the matter of the transfer under consideration. It is known that Secretary Taft would be quite willing to be relieved of the respensibility attendant upon the direction of the canal affairs.

The appointment of Judge Magoon to be naturally suggests the desirability of placing both offices under the direction of the Secretary of State, and following this movement to its logical conclusion, the Secretary of State would be the natural director of the affairs of the canal. Mr. Root is deeply interested in the canal work and already has devoted considerabie thought to it.

While no definite decision regarding the transfer yet has been reached by the President, it is regarded that the direction OF GIVERNOR HOCH.

She bill in question, having originated in a be placed in the hands of Secretary Rest.

Sweeping Decision of Supreme Court Makes Outlaw of Company-Had Spent Several Millions in Laying Pipe Lines.

Topeka, July 7.—The State Supreme Court to-day rendered a decision declaring that the Kansas Natural Gas Company, a Delaware corporation, cannot do ousiness in Kansas. The decision, which is sweeping in its

terms, makes an outlaw of the company, which it declares cannot hold property in Kansas and cannot operate in any manner within the State. The company already has spent several

the State of Kansas on the relation of At- progress because of a severe cramp, Mrs. torney General C. C. Coleman against the Rock was rescued by her friend, who held Kansas Natural Gas Company.

HAD NO CHARTER. It seems that when the company applied to the Kansas Charter Board for permission to do business in this State the board denied the application. However, the company went ab

ing its pipes and contracting to deliver gas to many cities. To date, the company has expended mil lions of dollars laying pipe lines from the Southern Kansas field to the Missouri line.

cities much of the work has practically After the Charter Board had acted the Attorney General, in the name of the State, brought this proceeding in que werrante against the company asking that it be re-

quired to show its authority for doing business in Kansas and that if unable to do so it be ousted from the State. STOOD ON APPLICATION. The company answered, setting forth its application to the Charter Board and alleging that it had done all things required by the statute and asking that the Charter Board be ordered to grant it a license. A demurrer to this answer was filed and It was agreed that a final judgment should

be entered in accordance with the ruling of the court on the demurrer. The court sustained the demurrer and entered a judgment of ouster against the gas company, all of which have a ten-

"This action of the Supreme Court will | dency to cause the defendant to quit busi-The opinion of the court was delivered

by Justice Greene, all of the Justices concurring. CONTROLS KANSAS WELLS

The barred company owns a majority of the producing gas wells in Kansas and is capitalized at \$10.000,000. It has spent six months in constructing a pipe line from Montgomery County to Kansas City. The company was just on the point of piping gas into Kansas City, Kas. Lawrence, Topeka, Ottawa, Clathe and many other Kansas towns, but under the terms of the decision it must cease all work in

Kansas.

The Court goes far enough to intimate that the company has exhausted its resources at law and eave that it cannot come into court and sek for a mandatory order to compel the State Charter Board to grant it a charter.

PAUL JONES'S BODY REMOVED TO A CHAPEL AT CHERBOURG

Lies During Night in Seaport Town and To-Day is to Be Placed on the Brooklyn for Trip Home. Cherbourg, July 7.-The funeral train

bearing the body of Admiral Paul Jones and 500 American enflore and marines, arrived here from Paris at 7:30 a. m. An enormous crowd surrounded the rallroad station and witnessed the removal of the body to a mortuary chapel erected on

the wharf of the American Steamship Line. The chapel was beautifully decorated with paims, flags and escutcheons from the naval arsensi. The American Consul, H. J. El Hainne-ville, and many French officers took part

in the ceremonies.

The American sailors and marines were cawn up in battalion front, facing the Twenty-fifth Regiment of the French Infantry. The body was borne between the saluting French and American forces to a catafalque, where it was covered with flags and flowers, the band of the United States flagship Brocklyn playing the national anthem.

The townspeople then defiled before the coffin, respectfully uncovering as they did so.

The ceremony of transferring the body of the Admiral to the Brooklyn will take place at noon to-morrow and the squadron will sail at 5 o'clock in the afternoon for DOCTOR R. O. DIEUE Teg. July ? - Dector R. O. Disula-died here test night, auditaly, of war-years. A wife and one child surviv-was interred here this aftername.

Mrs. Frederick W. Gog to Get Gold Medal for Saving Mrs. Charles Rock, Who Was Seized With Cramp.

As a tribute to the fact that she saved the life of Mrs. Charles Rock of No. 1715 South Twelfth street while fishing on the Osage River last Wednesday, the Femme Osage Club, a local organization, is mak ing preparations to present to Mrs. Fred Gog of No. 3315 Clarence avenue a gold

According to the statements of Mrs. Rock she would surely have been drowned while on the trip had it not been for the million dollars, it is estimated, in laying interposition of Mrs. Gog, who is an exmmer. While stru The opinion is rendered in the case of ty feet of water, but unable to make her until John Shultz a member of the party, rowed across the river with a boat

and took her aboard. The accident occurred while the club was on a fishing trip in St. Charles County. Several local members of the organfzation, including Messrs. Charles Rock and Frederick W. Gog. Henry Schroeder, George Ehrngehart and James Robinson. had proceeded down the river a short distance while the two women were fish-

ing further up the stream. Near the opposite shore was John Shultz in a rowboat. While stooping over a deep pool under a shelving bank to inspect a baited line that had been left there Mrs. Rock lost her grasp upon a grapevine to which she had been holding and plunged headlong into the river.

RESCUED FRIEND. Although an expert swimmer, owing to the unexpected immersion and to the fact that she had been overheated when submerged, she was at once seized with a violent cramp. Unable to reach her helpies: friend, Mrs. Gog, who had run to the back of the river, also plunged into the water, grasted Mrs. Rock as she rose for the third time and held to a trailing vine

which extended into the water. In the meantime John Shuitz had been rowing desperately across the river and soon reached the spot, taking both women into his heat and rowing to the lower part of the bank, where they could be landed. On account of the time required for him to cross the stream Mrs. Rock says she would surely have been drowned had it not been for the prompt rescue ef-

fected by Mrs. Gog.

As a result of the incident members of the organization, headed by Mrs. Rock. are arranging to present to the heroine of the occasion a gold trophy, emblematic

"STEEPLE JACK" KILLED.

Man Noted for Daring Meets Death on a Stairway. REPUBLIC SPECIAL. New York, July 4-John Moffett, 20

years old, of No. 142 Mulberry street, Newark, N. J., a "steeple jack" noted for daring feats in the pursuit of his calling, fell down a steep stairway leading from Mechanic streets. Newark, and broke his skull. He died later in the City Hospital.
Moffett came to Newark from San Franfrisco a year ago. He has a brother.
George or Edward in the publishing busi-

Vanderbilt Makes Fast Run.

REPUBLIC SPECIAL.
Toledo, O., July 7.—In order to make an mexpected railroad connection for New York, William K. Vanderbilt was driven distance of twenty-five miles, at the rate serventy miles an hour. Mr. Vanderbilt id other capitalists were inspecting the road presumably with view of purchasing.

GRAIN AND FLOUR LARGEST ITEMS OF EXPORTS FROM ST. LOUIS TO CUBA

Charles El L. Thomas, honorary Consul of Cube in St. Louis, has made his rep for the first two quarters of the year 1966. The Cuban Consulate was establi in St. Louis March I, 1905, and the report of the first quarter consequently is for the

The value of the exports passing through the Consulate in that

2.00C.85 The total value of the exports to Cuba passing through the Consulate during the three months of the next quarter, however, amounted to \$19.85.61. Of this amount the largest single items of exports were flour and grains, and Mr. Thomas points to this fact as of significant interest to millers and grain merchants generally, indicating, as it does, what an important center St. Louis has become in the matter of

cereal exports to Cuba. "In spite of the fact that St. Louis is one of the great shoe manufacturing cities of the world," says the report, "the exports in this line are still very low, and the entire export business represents the sale of but two firms. By merely conform ing their product to the requirements of the Cuban market, the St. Louis manufa turers, with the existing advantages over foreign competitors of location and tariff preferential, could easily control the shoe trade of the island. This applies also to fry goods and machinery, as well as to other articles, for which a ready and properous market awaits the exporter if he will but avail himself of the opport to seize it."

The table of exports from St. Louis to Cube for the months of March,

and June, as given in M	ir. Thoma	as's report	is as foll	ows:		n
	March	April	May.	June	Total	
Beds (metal)	*******	8 12,705.57	9,255.10	7,661.64	80, 113. CL	
Broom corn	1,302.88	1,871.85	685.85 750.30	8,485.93 172,20	4,171.77 2,294.35	
Furniture	*******	24,772.49 115.95 4,477.74	1,377.36 12,781.53	88.50 88.50	1,581.81 44.451.21	
Hardware		1,964.71	2,967,67	2,371.17	A 101.17	
Bhoes	*******	7.68	1,243.85	840.50 422.77	2,083.75 \$40.28	

According to Advices From Jefferson City Attorney General Hadley and His Assistants Will Not Be in Court.

City last night, Attorney General Hadley and Assistants Lake and Kennish were in Kansas City and probably would not appear before the St. Louis County Circuit Court to-day when the pleas for shatement of the information against two of the Delmar bookmakers will be argued The impression was that General Hadley would assist the county officials in the cases and it is said that the defendants were anxious to have him present at the proceedings. Azelstant Blake is the only one connected with General Hadley's department in Jefferson City and he stated last night that he had no instructions to be in Clayton to-day. Prosecuting Attorney Kiskiddon, of the county, will represent the State.

According to advices from Jefferson

It is the hope of the track management end the bookmakers that today's proceedings may determine the status of the bookmakers' cases in court, for conditions have brought racing to a crucial point. not only for the Deimar Jockey Club, but Patricia, not only for the Deimar Jockey Club, land the

The pleas have as their busts the allega-tion that the antipoolseiling act is uncon-stitutional, and, therefore, that there can be no legal proceedings against Mark America, New York. a Chinese restaurant at Mulberry and tion that the antipoolselling act is uncon-Gumpertz, George Ehrlich and the others arrested for operating under the code sys-

> With the Memphis meeting closing today, it is expected that many of the borsemen will ship here the first of next week. would not have a track in operation, and it is said that horsemen are keenly watching the trend of the legal proceedings.
>
> That the trend of the legal proceedings. That the tenacity with which the Delmar management has held on to the alim

chance of continued racing is giving to race followers renewed hope has been shown by the increasing attendance and play in the handbooks.

Yesterday the pencilers had a c tively lively day. The crowd, however, was for the most part a speculative end and more persons were to be found in the betting ring than in the grands SAYS SANTA FE WILL NOT

MANAGE DEVLIN'S MINES. Topoka, Kan, July 7-The Atoliem Topeka and Santa Po Reflexy will see take part in the management of the coal mines which are invoived in the fi

of C. J. Deviln," said Clifford Histon, attorney for Deviln, to-day. "The creditors will advance me carry on the mines and the paym

the miners' wages in the Southern Kar "The Santa Fe is interested only in see ing that coal is furnished them as be-

fore. The sum of \$40,000 will be advanby the creditors.

"The Illinois miners have just been paid off and nothing will be due for two weeks to come. We hope with the appointment of a receiver that the mines will become successfully established again."

MOVEMENTS OF OCEAN VESSE

Montreal and Quebes, via Havre.
Genos, July 1.—Arrived: Beauty
Genos, July 1.—Arrived: Beauty
Beaten, via Gibraire and Naples.
Laverpool, July 1.—Studed: Breauty
Boston via Queenstown.
New York, July 1.—Arrived: Breauty
vie, Havre. voie, Havre.
Naples, July 4.—Arrived; Reamer Cases.
Reatin, via Fonta del Gada.
Hamburg, July 4. 4 p. m.—Arrived; Reamer
Patricia, New York, via Hever,
Bover, July 7, 11-6 p. m.—Safled; Descaljand (from Hamburg), New York, via Case-

Amenia, New York.

Glessew, July & Saffed; Steamer Numbles,
New York.
Marseilles, July & Arrived; Steamer Hudsen,
New York.
Marseilles, July & Arrived; Steamers Hudsen,
New York, Sarmattan, Montreal and Quebea,
for London,
Liverpool, July & Arrived; Steamers for London.

Liverpool. July 7.—Arrived: Carpathia, New York, via Queenstown.

Naples, July 6.—Salled: Scamer Italia, New York. Quenateur, July 7, 7:00 p. m. Arrived; Steamer (Ampania, New York, for Liverpool (and proceeded).

On Sale Daily. Return Limit October 31. \$38 to Salt Lake City, Ogden and Return. TICKET OFFICES: COR. BROADWAY AND OLIVE AND UNION STATION